

¹ A complaint filed by an inmate challenging the conduct of an “officer or employee of a governmental entity” may be dismissed if the complaint is “frivolous, malicious or fails to state a claim upon which relief may be granted.” 28 U.S.C. § 1915A (a), (b)(1).

Department of Corrections (“VDOC”). On February 28, 2014, the court received notice from Pack that he had been transferred to Bland Correctional Center, a prison facility operated by the VDOC.

The jurisdiction of federal courts is limited to live cases or controversies. U.S. Const. art. III, § 1. When a claim no longer presents a viable legal issue to resolve, the claim becomes moot. *Powell v. McCormack*, 395 U.S. 486, 496 (1969). If developments occur during the course of a case which render the court unable to grant a party the relief requested, the claims must be dismissed as moot. *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698-99 (3d Cir. 1996). The transfer or release of a prisoner generally renders moot any claims for injunctive or declaratory relief relating to the former place of confinement. *Williams v. Griffin*, 952 F.2d 820, 823 (4th Cir. 1991).

Pack has received one of the forms of relief he requested — transfer to a VDOC facility. His transfer, however, also moots Pack’s request for mental health care at the jail. Since jail officials no longer have custody over Pack, they no longer have any responsibility or authority to provide him with necessary mental health treatment, and the court cannot direct them to provide such care.

Accordingly, I find that that Pack's lawsuit must be summarily dismissed without prejudice as moot.²

A separate Final Order will be entered herewith.

DATED: March 3, 2014

/s/ James P. Jones

United States District Judge

² I also note that Pack could not prevail in his § 1983 claim against the jail as the only defendant he names in the complaint. A local jail is not a "person" subject to suit under § 1983. *See McCoy v. Chesapeake Corr. Ctr.*, 788 F. Supp. 890, 893-94 (E.D. Va. 1992).